

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SELENA STALEY, VIVIAN HOLMES,
and OLIVE IVEY, *on behalf of
themselves and all others
similarly situated,*

Plaintiffs,

-against-

FSR INTERNATIONAL HOTEL INC.,
doing business as Four
Seasons Hotels and Resorts,
HOTEL 57 SERVICES, LLC, HOTEL
57, LLC, TY WARNER HOTELS &
RESORT LLC, and H. TY WARNER

Defendants.

22-cv-6781 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:


As indicated during oral argument earlier today, the resolution of the pending motion for summary judgment may be impacted by whether or not defendants FSR International Hotel Inc., Hotel 57 Services, LLC, Hotel 57, LLC, and Ty Warner Hotels & Resorts LLC (the "Warrant defendants") were required to provide additional notice under the federal and state Worker Adjustment and Retraining Notification Acts ("WARN Acts") when layoffs continued following the conclusion of the COVID-19 pandemic. See 29 U.S.C. §§ 2101 et seq. (federal WARN Act); N.Y. Lab. L. §§ 860 et seq. (state WARN Act). Accordingly, counsel are ordered to jointly call chambers at 4:30 PM today to discuss: (1) whether this notice issue has been properly preserved, (2) whether further discovery concerning the reasons for the failure of the Four Seasons Hotel to reopen following the conclusion of the COVID-19

pandemic is warranted, and (3) whether supplemental briefing on this issue is warranted.

SO ORDERED.

New York, NY

9/6, 2024


JED S. RAKOFF, U.S.D.J.